

**REMARKS*****Remaining Claims***

Claims 10, 12, 14, 16, and 18 have been amended to more clearly point out and distinctly claim the invention. After these amendments are entered, nine (9) claims (Claims 10 – 18) remain pending in this application through this Amendment.

***Claims Rejections under 35 U.S.C §112***

Claims 1 – 8 and 10 – 18 stand rejected under 35 USC §112, first paragraph, for failing to comply with the written description requirement. Specifically, the term “polyols” found in Claims 1 and 18 is not found in the original disclosure.

Claim 1 has been deleted and Claim 18 has been amended to remove the terms objected to by the Examiner. Accordingly, Applicants respectfully request that this rejection be withdrawn.

***Claims Rejections under 35 U.S.C §102***

Claims 1, 2, 4-6, 14, and 15 stand rejected under 35 USC §102(b) as being anticipated by *Griffin, et al.* (US 5,474,700).

Claims 1, 2, and 4 – 6 have been deleted and Claims 14 and 15 now depend upon non-rejected Claim 18. Accordingly, Applicants respectfully request that this rejection be withdrawn.

***Claims Rejections under 35 U.S.C §103***

Claims 1 – 6, 8, and 10 – 17 stand rejected under 35 USC §103(a) as being unpatentable over *De Bruiju, et al.* (US 6,162,393).

Claims 1, 6, and 8 have been deleted and Claims 10 and 17 now depend upon non-rejected Claim 18. Accordingly, Applicants respectfully request that this rejection be withdrawn.

Claims 1 – 7 stand rejected under 35 USC 103(a) as being unpatentable over *De Bruiju, et al.* (US 6,162,393), as applied above, in view of *Mowrey-McKee, et al.* (US 5,500,186).

Claims 1 – 7 have been deleted. Accordingly, Applicants respectfully request that this rejection be withdrawn.

***Interview with Examiner***

During a telephonic interview with the Examiner on May 2, 2006, the Examiner suggested that Applicants amend the claims by canceling Claims 1 – 8; making Claims 10 – 17 dependent upon Claim 18; and limiting the term “polyol” to the specific polyols disclosed in the specification to overcome the §112 rejection. Applicants have adopted Examiner’s first two suggestions, but not

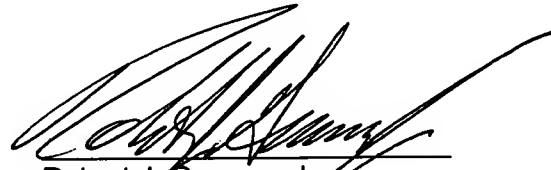
the third. Instead, Applicants have deleted the phrase “; wherein said aqueous solution is free of polyol compounds.” It may be remembered that this phrase was added in Amendment A, filed June 18, 2003 to overcome a rejection over US Patent No. 6,121,327 to *Tsuzuki, et al.* However, as explained in Response D, filed July 27, 2005, *Tsuzuki* teaches BIS-Tris buffer, not BIS-Tris Propane buffer. Accordingly, Applicants have deleted this claim element as an unnecessary limitation on Applicants' invention.

### **CONCLUSION**

In view of the foregoing and in conclusion, Applicants submit that all of the pending claims are now in conditions for allowance.

Should the Examiner believe that a discussion with Applicants' representative would further the prosecution of this application, the Examiner is respectfully invited to contact the undersigned. Please address all correspondence to Robert Gorman, CIBA Vision, Patent Department, 11460 Johns Creek Parkway, Duluth, GA 30097. The Commissioner is hereby authorized to charge any other fees which may be required under 37 C.F.R. §§1.16 and 1.17, or credit any overpayment, to Deposit Account No. 50-2965.

Respectfully submitted,



Robert J. Gorman, Jr.  
Reg. No. 41,789  
(678) 415-4389

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CIBA Vision  
Patent Department  
11460 Johns Creek Parkway  
Duluth, GA 30097